

110TH CONGRESS
1ST SESSION

H. R. 4231

To direct the Secretary of Veterans Affairs to carry out a pilot program to provide mental health services to certain veterans of Operation Enduring Freedom and Operation Iraqi Freedom.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2007

Mr. KAGEN (for himself, Mr. SHULER, Mr. POMEROY, Mr. WEXLER, Mr. WAMP, Mr. TAYLOR, Mr. JOHNSON of Georgia, Ms. CLARKE, Mr. BLUMENAUER, Mr. MELANCON, Mr. SESTAK, Mr. CARNEY, Mr. HOLDEN, Mr. ELLISON, Ms. BERKLEY, Mrs. BOYDA of Kansas, Mr. KILDEE, Mr. FILNER, Mr. BOSWELL, Mr. SCOTT of Virginia, Mr. BACA, Mr. BARROW, Mr. BRALEY of Iowa, Mr. DICKS, Ms. HERSETH SANDLIN, Mr. DONNELLY, Mr. HINCHEY, Mr. McDERMOTT, Ms. TSONGAS, Mr. PERLMUTTER, Mr. HIGGINS, Mr. ALTMIRE, and Mr. LARSON of Connecticut) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to carry out a pilot program to provide mental health services to certain veterans of Operation Enduring Freedom and Operation Iraqi Freedom.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Rural Veterans Health
3 Care Access Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) One out of every six veterans who have re-
7 turned from serving in Operation Enduring Freedom
8 or Operation Iraqi Freedom have diagnosable post-
9 traumatic stress disorder.

10 (2) The Department of Veterans Affairs and
11 the Department of Defense face a shortfall of
12 trained mental health professionals.

13 (3) The demands placed on the Department of
14 Veterans Affairs health care system exceed the ca-
15 pacity of that system to serve veterans.

16 (4) Veterans who live in rural areas serviced by
17 distant Department of Veterans Affairs facilities
18 have no option other than excessive travel for diag-
19 nosis and long-term treatment.

20 (5) The variety of mental ailments acquired
21 during or as a result of deployment in a war zone
22 frequently require long-term, intensive, and highly-
23 personalized care.

24 (6) The system of the Veterans Health Admin-
25 istration of the Department of Veterans Affairs in
26 effect as of the date of the enactment of this Act for

1 providing long-term mental health care creates un-
2 necessary and unacceptable stress for veterans and
3 the Department of Veterans Affairs.

4 (7) The long-term needs associated with mental
5 health conditions require a positive change in the
6 way the Department of Veterans Affairs provides
7 mental health services.

8 **SEC. 3. PILOT PROGRAM TO PROVIDE MENTAL HEALTH**
9 **SERVICES TO CERTAIN VETERANS OF CON-**
10 **TINGENCY OPERATIONS.**

11 (a) ESTABLISHMENT.—The Secretary of Veterans
12 Affairs shall establish and carry out a pilot program to
13 provide mental health counseling to eligible veterans at fa-
14 cilities other than medical facilities of the Department of
15 Veterans Affairs.

16 (b) ELIGIBLE VETERAN.—For purposes of this sec-
17 tion, the term “eligible veteran” means a veteran who—

18 (1) served on active duty in support of a contin-
19 gency operation, as that term is defined in section
20 101(13) of title 10, United States Code;

21 (2) is eligible to receive hospital care and med-
22 ical services under section 1710 of title 38, United
23 States Code;

24 (3) has been diagnosed with a mental health
25 condition for which a certified mental health pro-

1 vider has recommended the veteran receive mental
2 health counseling; and

3 (4) resides at least 30 miles from a medical fa-
4 cility of the Department of Veterans Affairs that
5 employs a full-time mental health professional.

6 (c) PROVISION OF VOUCHERS.—

7 (1) VOUCHERS.—

8 (A) SIX MONTH SUPPLY.—Under the pilot
9 program established under subsection (a), upon
10 the request of an eligible veteran, the Secretary
11 of Veterans Affairs shall issue to the eligible
12 veteran a six-month supply of vouchers that
13 may be used to provide for full payment for
14 counseling services provided by any mental
15 health provider on the list established under
16 paragraph (2).

17 (B) ADDITIONAL VOUCHERS.—If a veteran
18 receives a supply of vouchers under the pre-
19 ceding sentence and, not later than five months
20 after receiving such vouchers requests an addi-
21 tional six-month supply of vouchers, the Sec-
22 retary may issue to the veteran an additional
23 six-month supplies of vouchers, as the Secretary
24 determines is appropriate.

1 (C) DEADLINE.—The Secretary of Vet-
2 erans Affairs shall issue the vouchers under this
3 paragraph not later than 30 days after the date
4 of the date on which the veteran requests the
5 vouchers.

6 (2) LIST OF SERVICE PROVIDERS.—The Sec-
7 retary shall compile and maintain a list of mental
8 health care providers, including family counseling
9 providers, who have entered into an agreement with
10 the Secretary to accept the vouchers issued under
11 paragraph (1) as payment in full for visits to the
12 provider for mental health counseling.

13 (3) COMPLIANCE WITH DEPARTMENT PROTO-
14 COLS.—Each mental health care provider on the list
15 maintained by the Secretary under paragraph (2)
16 shall comply with applicable protocols of the Depart-
17 ment of Veterans Affairs before incurring any liabil-
18 ity on behalf of the Department for the provision of
19 services as part of the pilot program.

20 (d) FAMILY COUNSELING.—If a certified mental
21 health provider or the Secretary of Veterans Affairs has
22 recommended that an eligible veteran and the veteran's
23 family receive family counseling, that veteran may use a
24 voucher provided under subsection (c) as payment in full
25 for visits to a family counseling provider on the list main-

1 tained under paragraph (2) of such subsection for such
2 counseling.

3 (e) RATE OF PROVIDER REIMBURSEMENT.—The
4 Secretary of Veterans Affairs shall provide for payment
5 under the voucher of a mental health provider at the reim-
6 bursement rate (if any) in effect under the TRICARE pro-
7 gram under chapter 55, of title 10, United States Code,
8 for such services (or similar services) of such a provider
9 in the area or, in the absence of such a reimbursement
10 rate, at the payment rates for such services (or similar
11 services) in effect under part B of title XVIII of the Social
12 Security Act. In order to receive payment under a voucher,
13 a mental health provider shall submit to the Secretary the
14 voucher bearing the signature of the provider and the vet-
15 eran who received counseling from the provider in ex-
16 change for the voucher.

17 (f) VETERANS INTEGRATED SERVICE NETWORKS.—
18 The Secretary shall carry out the pilot program under this
19 section in Veterans Integrated Service Networks 1, 4, 7,
20 12, 17, 20, and 23.

21 (g) TERMINATION; EXTENSION.—

22 (1) TERMINATION.—The authority of the Secretary
23 to carry out a pilot program under this subsection shall
24 terminate on the date that is five years after the date of
25 enactment of this section.

1 (2) STUDY; EXTENSION.—Not later than four years
2 after the date of the enactment of this Act, the Secretary
3 of Veterans Affairs shall conduct a study on the effective-
4 ness of the pilot program under this section, in which the
5 Secretary shall recommend whether the program should
6 be extended or expanded. Notwithstanding paragraph (1),
7 if the Secretary determines the program should be ex-
8 tended or expanded, the Secretary may extend or expand
9 the existing program.

○